

BILL NO. S-73-11-09

SPECIAL ORDINANCE NO. S- 126-73

AN ORDINANCE authorizing the execution of a deed to Bernard and Isabell Romy for certain real estate owned by the City of Fort Wayne, Indiana.

WHEREAS, the City of Fort Wayne, Indiana, is the owner of certain real estate in Allen County, Indiana, described as follows:

Beginning at the southwest corner of DeRomes Reserve in the southeast one quarter of Section 18, Township 31 North, Range 13 East, Allen County, Indiana; thence east along the south line of DeRomes Reserve to a point where the public road now known as Upper St. Joe Center Road intersects the section line; thence northwesterly along the center line of said road 1013.0 feet for the point of beginning, said point also being the northwest corner of the Bernard and Isabell I. Romy property; thence continue northwesterly along the centerline of said road 155.5 feet to the east abutment of the former Paper Mill Bridge which is also the east water line of the St. Joseph River, thence southerly along the east water line of said river to a point on the west line of the aforesaid Romy property; thence northerly along the west property line to the point of beginning. Containing 0.69 acres, more or less.

WHEREAS, this Council has determined that it will be in the best interest of the City of Fort Wayne to execute a deed for the sale of the above described parcel of real estate, on terms and conditions required by law and for a sum not less than the appraiser's evaluation thereof.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Mayor of the City of Fort Wayne be, and he hereby is, authorized and directed, in the name of and for and in behalf of the City of Fort Wayne, to execute a deed to Bernard and Isabell I. Romy, for the parcel of real estate herein described, such deed to be in the form of a Quit-Claim Deed and to be subject to the terms and conditions as shall be considered necessary or advisable in the best interests of the City of Fort Wayne. The signature of the Mayor on such instru-

ment shall be attested by the City Clerk of the City of Fort Wayne and shall be accompanied by the seal of said City.

SECTION 2. This Ordinance shall be and constitute sufficient authority for the Mayor and the City Clerk of the City of Fort Wayne to execute such a deed and to do all things incidental thereto or necessary therefor.

SECTION 3. This Ordinance is passed upon the same date and at the same meeting at which it is introduced and it is passed by the unanimous consent of all the members of the Common Council present and there are present and voting at least two-thirds of all the members elect of said Common Council.

SECTION 4. This Ordinance shall be in full force and effect from and after its passage.

William T. Hinga  
Councilman

APPROVED AS TO FORM  
AND LEGALITY,  
David E. Cleary  
CITY ATTORNEY

Read the first time in full and on motion by Henga, seconded by Stier, and duly adopted, read the second time by title and referred to the Committee on Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 1973, at \_\_\_\_\_ o'clock P.M., E.S.T.

Date: Nov. 13, 1973

Charles W. Westerman  
CITY CLERK

Read the third time in full and on motion by Henga, seconded by Talarico, and duly adopted, placed on its passage.

Passed (lost) by the following vote:

	AYES <u>9</u>	NAYS <u>0</u>	ABSTAINED _____	ABSENT _____	to-wit:
BURNS	<u>✓</u>	_____	_____	_____	_____
HINGA	<u>✓</u>	_____	_____	_____	_____
KRAUS	<u>✓</u>	_____	_____	_____	_____
MOSES	<u>✓</u>	_____	_____	_____	_____
MUCKOLS	<u>✓</u>	_____	_____	_____	_____
SCHMIDT, D.	<u>✓</u>	_____	_____	_____	_____
SCHMIDT, V.	<u>✓</u>	_____	_____	_____	_____
STIER	<u>✓</u>	_____	_____	_____	_____
TALARICO	<u>✓</u>	_____	_____	_____	_____

DATE: 11-27-73

Charles W. Westerman  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. 8-126-73 on the 27th day of November, 1973.

ATTEST: (SEAL)

Charles W. Westerman  
CITY CLERK

W. Infield C. Mares Jr.  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of November, 1973, at the hour of 10:40 o'clock A. M., E.S.T.

Charles W. Westerman  
CITY CLERK

Approved and signed by me this 28th day of November, 1973, at the hour of 2:00 o'clock P. M., E.S.T.

John H. Pridemore  
MAYOR

Bill No. S-73-11-09

REPORT OF THE COMMITTEE ON FINANCE  
Finance

We, your Committee on \_\_\_\_\_ to whom was referred an Ordinance  
authorizing the execution of a deed to Bernard and  
Isabell Romy for certain real estate owned by the  
City of Fort Wayne, Indiana.

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance DO PASS.

William T. Hinga - Chairman

John Nuckols - Vice-Chairman

James S. Stier

Samuel J. Talarico

Paul M. Burns

*Concurred in.*  
MADE A MATTER OF RECORD

DATE 11-27-23 CHARLES W. WESTERMAN, CITY CLERK

3046 Wp. St. Joe (Ind) R.  
Fort Wayne, Ind. 46815

Oct. 24, 1973

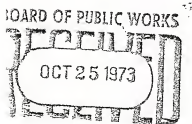
Mr. C. R. Martindale  
Admin. Assistant to the  
Board of Public Works  
Fort Wayne, Indiana

Dear Mr. Martindale:

This is to inform you  
that we agree to pay \$1000.00  
for the purchase of the land  
adjoining our property and  
will be very happy to finalize  
the purchase as soon as the  
necessary papers are prepared.

Thank you.

Mr & Mrs Bernard Rossey



*check file*

October 23, 1973

Mr. & Mrs. Bernard Romy  
3046 Upper St. Joe Center Road  
Fort Wayne, Indiana 46805

Dear Mr. & Mrs. Romy:

This correspondence is forwarded to advise you that the Board of Public Works has received the preliminary outcome of the three (3) independent appraisals respective to the property abutting yours and is forwarding same to our attorneys for handling.

Please be advised that the parcel of land in question has been appraised at a fair marketable value of \$600.00. Appraisals fees amount to \$300.00.

The Board of Public Works extends the firm offer to sell <sup>the</sup> land to you for the sum of \$1,000.00 which includes appraisal fees to be paid by the Board plus \$100.00 for handling by our attorneys.

Please advise me, in writing, as to your acceptance at the earliest possible date so that appropriate documents can be prepared by our attorney.

Sincerely,

C. R. Martindale  
Administrative Assistant to  
Chairman Board of Public Works

CRM/ss

cc: Dr. Jerry D. Boswell  
Edna Smith



STATE OF INDIANA ) IN THE ALLEN COUNTY CIRCUIT COURT  
 ) SS:  
COUNTY OF ALLEN ) CIVIL CAUSE NO. 92-73-629

IN THE MATTER OF THE APPRAISAL AND )  
SALE OF CERTAIN REAL ESTATE OWNED ) OATH OF APPRAISERS  
BY THE CITY OF FORT WAYNE, INDIANA )

We, James E. Harding, and James W. Roth, and  
Richard Curdes, three disinterested freeholders of the City  
of Fort Wayne, Indiana, duly appointed by the Judge of the  
Allen County Circuit Court to appraise and determine the  
fair market value of a parcel of real estate, with a view to  
execution of a deed for the same, which parcel of real estate  
is duly described as follows:

Beginning at the southwest corner of DeRomes  
Reserve in the southeast one quarter of  
Section 18, Township 31 North, Range 13 East,  
Allen County, Indiana; thence east along the  
south line of DeRomes Reserve to a point  
where the public road now known as Upper St.  
Joe Center Road intersects the section line;  
thence northwesterly along the center line  
of said road 1013.0 feet for the point of  
beginning, said point also being the north-  
west corner of the Bernard and Isabell I.  
Romy property; thence continue northwesterly  
along the centerline of said road 155.5 feet  
to the east abutment of the former Paper  
Mill Bridge which is also the east water  
line of the St. Joseph River, thence southerly  
along the east water line of said river to  
a point on the west line of the aforesaid  
Romy property; thence northerly along the  
west property line to the point of beginning.  
Containing 0.69 acres, more or less.

being property owned by the City of Fort Wayne, do hereby  
solemnly swear that we will make a just and true valuation  
and appraisal of the real estate and will make due return  
of such appraisal to the Allen County Circuit Court.

James E. Harding  
James W. Roth  
Richard Curdes

Subscribed and sworn to before, me a Notary Public  
in and for said County and State, this 21 day of October, 1973.

Edmund J. Smith  
Notary Public

My Commission Expires:

October 13, 1976

FILED CLERK'S OFFICE  
OCT 30 9 40 AM '73

STATE OF INDIANA ) IN THE ALLEN COUNTY CIRCUIT COURT  
 ) SS:  
COUNTY OF ALLEN ) CIVIL CAUSE NO. Cc-73-629

IN THE MATTER OF THE APPRAISAL AND )  
SALE OF CERTAIN REAL ESTATE OWNED ) APPRAISAL  
BY THE CITY OF FORT WAYNE, INDIANA )

We, the undersigned, appraisers appointed by the  
Judge of the Allen County Circuit Court, to appraise and deter-  
mine the fair market value of a parcel of real estate, with a  
view to execution of a deed therefor, for a real estate in  
Allen County, Indiana, described as follows:

Beginning at the southwest corner of  
DeRomes Reserve in the southeast one  
quarter of Section 18, Township 31  
North, Range 13 East, Allen County,  
Indiana; thence east along the south  
line of DeRomes Reserve to a point  
where the public road now known as  
Upper St. Joe Center Road intersects  
the section line; thence northwesterly  
along the center line of said road  
1013.0 feet for the point of begin-  
ning, said point also being the north-  
west corner of the Bernard and Isabell I.  
Romy property; thence continue north-  
westerly along the centerline of said  
road 155.5 feet to the east abutment  
of the former Paper Mill Bridge which  
is also the east water line of the  
St. Joseph River, thence southerly  
along the east water line of said  
river to a point on the west line of  
the aforesaid Romy property; thence  
northerly along the west property  
line to the point of beginning. Con-  
taining 0.69 acres, more or less.

being property of the City of Fort Wayne, Indiana, do hereby  
appraise and fix the market value at Six Hundred Dollars

( \$600.00 ).

Dated this 31 day of October, 1973.

James E. Ward  
James W. Roth  
Richard Curdles

FILED CLERK'S OFFICE  
STATE OF INDIANA, CLERK

OCT 30 9 40 AM '73



DICEST SHEET

TITLE OF ORDINANCE Sale of Property to Bernard & Isabell Romy *AB-11-09* ✓

DEPARTMENT REQUESTING ORDINANCE Board of Public Works

SYNOPSIS OF ORDINANCE Requests approval of sale of piece of real estate in Cedarville Dam area to Bernard and Isabelle Romy for \$1000.00 This is portion of property acquired before construction of Cedarville Dam and is of no value to anyone but the proposed purchasers.

Appraisal was made by three qualified men appointed by Court (see attachment) denoting value to be \$600.00.

EFFECT OF PASSAGE Transfer of real estate to Bernard and Isabelle Romy.

EFFECT OF NON-PASSAGE Retainage of piece of property serving no purpose for City.

MONEY INVOLVED (Direct Costs, Expenditures, Savings)

\$1,000.00 revenue to Utility.

ASSIGNED TO COMMITTEE (J.N.) Fair well